

REMARKS

Applicants have amended independent claims 34, 49, 83, and 95 to each recite a semipermeable membrane defining at least one wall of the predetermined reaction site that has a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Support for this amendment can be found in the specification, for example, on page 14, lines 8-10. Accordingly, no new matter has been added.

Claims 34, 35, 41-44, 46-50, 53, and 81-96 are pending for examination.

Rejections under 35 U.S.C. §103(a) in view of Freeman and Rao

Claims 34, 35, 43, 44, 46, 47, 49, 50, 53, 81, and 82 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman, U.S. Pat. No. 6,653,124 ("Freeman") in view of Rao, U.S. Pat. Apl. Pub. No. 2004/0121453 ("Rao").

Applicants do not concede that there would have been any rational reason to combine Freeman and Rao in the manner suggested in the Office Action. Moreover, Applicants do not see where in either Freeman or Rao is there a disclosure or a suggestion of a semipermeable membrane defining at least one wall of a predetermined reaction site, let alone a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Accordingly, it is believed that the claims, as amended, are patentable in view of Freeman and Rao, and it is respectfully requested that the rejection of these claims be withdrawn.

Rejections under 35 U.S.C. §103(a) in view of Sheppard and Rao

Claims 34, 35, 43, 44, 46, 47, 49, 50, 53, and 82 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sheppard, et al., U.S. Pat. No. 6,143, 247 ("Sheppard") in view of Rao.

Applicants do not concede that there would have been any rational reason to combine Sheppard and Rao in the manner suggested in the Office Action. Moreover, it is not seen where in either Sheppard or Rao is a semipermeable membrane defining at least one wall of a predetermined reaction site disclosed or suggested, nor is it seen where either Sheppard or Rao discloses or

suggests a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Thus, the claims as amended are believed to be patentable in view of Sheppard and Rao, and it is accordingly respectfully requested that the rejection of these claims be withdrawn.

Rejections under 35 U.S.C. §103(a) in view of Freeman, Sheppard, Rao, and Kapur

Claims 41, 42, and 48 have been rejected under 35 U.S.C. §103(a) as being unpatentable over either Freeman or Sheppard in view of Rao, each as applied to claim 34, and further in view of Kapur, et al., U.S. Pat. No. 6,548,263 ("Kapur").

Claims 41, 42, and 48 each ultimately depend on independent claim 34. For at least the reasons explained above, none of Freeman, Sheppard, or Rao teaches or suggests a semipermeable membrane defining at least one wall of a predetermined reaction site, or a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Accordingly, while Applicants do not concede that there would have been any rational reason to combine any of these references in the manner suggested in the Office Action, the present rejection cannot stand. Thus, withdrawal of the rejection of claims 41, 42, and 48 is respectfully requested.

Rejections under 35 U.S.C. §103(a) in view of Freeman, Rao, and Barbera-Guillem

Claims 83, 84, 87-91, and 93-96 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Freeman in view of Rao and Barbera-Guillem, U.S. Pat. No. 6,455,310 ("Barbera-Guillem").

It is not conceded that there would have been any rational reason to combine Freeman, Rao, and Barbera-Guillem as suggested in the office Action. Furthermore, Applicants do not see where in Freeman, Rao, or Barbera-Guillem is there a disclosure or a suggestion of a semipermeable membrane defining at least one wall of a predetermined reaction site, let alone a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Accordingly, it is believed that the

claims, as amended, are patentable in view of Freeman, Rao, and Barbera-Guillem, and it is thus respectfully requested that the rejection of these claims be withdrawn.

Rejections under 35 U.S.C. §103(a) in view of Sheppard, Rao, and Barbera-Guillem

Claims 83, 84, 88, 89, 91, and 93-96 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sheppard in view of Rao and Barbera-Guillem.

Applicants do not concede that there would have been any rational reason to combine Sheppard, Rao, and Barbera-Guillem as suggested in the Office Action. Additionally, it is not seen where in any of Sheppard, Rao, or Barbera-Guillem suggests a semipermeable membrane defining at least one wall of a predetermined reaction site, let alone a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. It is therefore believed that the claims, as amended, are patentable in view of Sheppard, Rao, and Barbera-Guillem, and it is respectfully requested that the rejection of these claims be withdrawn.

**Rejections under 35 U.S.C. §103(a) in view of
Freeman, Sheppard, Rao, Barbera-Guillem, and Kapur**

Claims 85, 86, and 92 have been rejected under 35 U.S.C. §103(a) as being unpatentable over either Freeman or Sheppard in view of Rao and Barbera-Guillem, each as applied to claim 34, and further in view of Kapur.

Claims 85, 86, and 92 each ultimately depend on independent claim 83. For at least the reasons explained above, none of Freeman, Sheppard, Rao, Barbera-Guillem, or Kapur teaches or suggests a semipermeable membrane defining at least one wall of a predetermined reaction site, or a semipermeable membrane having a permeability to oxygen and a permeability to water vapor that is at least one order of magnitude lower than the permeability to oxygen. Accordingly, while Applicants do not concede that there would have been any rational reason to combine any of these references in the manner suggested in the Office Action, the present rejection cannot stand. Thus, withdrawal of the rejection of claims 85, 86, and 92 is respectfully requested.

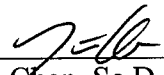
CONCLUSION

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after the foregoing remarks, that the application is not in condition for allowance, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: August 19, 2008

Respectfully submitted,

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